LPDES PERMIT NO. LA0098973, AI No. 17316

LPDES STATEMENT OF BASIS
FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA

I. **Company/Facility Name:** Joe N. Miles Lumber Company
Miles Bogalusa Mill
Post Office Box 158
Bogalusa, Louisiana 70427

II. **Issuing Office:** Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

III. **Prepared By:** Christy Clark
Industrial Permits Section
Water Permits Division
Phone #: (225) 219-3401
E-mail: christy.clark@la.gov

Date Prepared: July 20, 2009

IV. **Permit Action/Status:**

A. Reason For Permit Action:

Proposed reissuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46*.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.2301, 4901, and 4903.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/a
EPA has not retained enforcement authority.

C. LPDES permit - LPDES permit effective date: May 1, 2004
LPDES permit expiration date: April 30, 2004

D. Application received on April 20, 2009

V. Facility Information:

A. Location - 21501 Highway 21 North, Bogalusa (Latitude 30 °50'08", Longitude 89°50'56").

B. Applicant Activity -

According to the application, Joe N. Miles Lumber Company, Miles Bogalusa Mill, operates an existing sawmill facility for the production of dimensioned lumber from Southern Yellow Pine logs.

C. Technology Basis - (40 CFR Chapter 1, Subchapter N/Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903)

Guideline	Reference
Barking	40 CFR Part 429, Subpart A
Sawmills and Planing Mills	40 CFR Part 429, Subpart K

* Miles Bogalusa Mill uses mechanical debarking. 40 CFR Part 429, Subparts A and K are applicable to this facility. However, both Subparts A and K state that "there shall be no discharge of process wastewater pollutants to navigable waters." In accordance with the guidelines, the facility does not discharge any process wastewater to the receiving stream. Effluent limitations for non-process wastewaters are based upon best professional judgment.

Other sources of technology based limits:
LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6).
Current LPDES permit (effective May 1, 2004)
Class I Sanitary Discharge General Permit (Schedule D)
Best Professional Judgment

D. Fee Rate

1. Fee Rating Facility Type: Minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 2421

VI. Receiving Waters: unnamed ditch, thence to Boggy Branch, thence to Adams Creek in the Pearl River Basin

A. River Basin: Pearl River, Segment No. 090104

B. Designated Uses: The designated uses are primary contact recreation, secondary contact recreation, and fish and wildlife propagation.

VII. Outfall Information:

Outfall 001

A. Type of wastewater - The intermittent discharge of treated sanitary wastewater from the office area.

B. Location - At the point of discharge from the biological treatment unit southwest of the main office into the plant ditch prior to combining with other waters (Latitude 30°50'05", Longitude 89°50'57").

C. Treatment - Biological treatment unit with a chlorination chamber

D. Flow - Intermittent, 0.001 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 002

A. Type of wastewater - The intermittent discharge of treated sanitary wastewater from the employee restroom in the plant area.

B. Location - At the point of discharge from the oxidation pond southwest of the mill prior to combining with other waters (Latitude 30°49'55", Longitude 89°51'02").

C. Treatment - Septic tank and oxidation pond

D. Flow - Intermittent, 0.0005 MGD

E. Receiving waters - Drainage ditch, thence to an unnamed tributary, thence to Adams Creek.

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 003

A. Type of wastewater - The intermittent discharge of stormwater runoff from the plant area (the areas drained are comprised of the shipping area, forklift landing area, kiln area, and small internal ditches).

B. Location - At the point of discharge from the plant ditch downstream of stormwater culverts and upstream of biological treatment unit,

prior to combining with other waters (Latitude 30°50'05", Longitude 89°50'58").

C. Treatment - None

D. Flow - Intermittent, 0.054 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 004

A. Type of wastewater - The intermittent discharge of stormwater runoff from the dry log storage area, kiln condensate, kiln wash water, and previously monitored cooling water from the air compressor, log chains, and debarker from Internal Outfall 104.

B. Location - At the point of discharge from the south east-west ditch of the log storage area (Latitude 30°50'01", Longitude 89°51'05").

C. Treatment - Biological Treatment Unit for kiln condensate and washwater

D. Flow - Intermittent, 0.027 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Internal Outfall 104

A. Type of wastewater - The intermittent discharge of cooling water from the air compressor; log chain, and debarker.

B. Location - At the point of discharge from the solids removal sump prior to combining with other waters (Latitude 30°49'59", Longitude 89°51'04").

C. Treatment - Oil/water separator

D. Flow - Intermittent, 0.006 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 005

A. Type of wastewater - The intermittent discharge of stormwater runoff from the dry log storage area.

B. Location - At the point of discharge from the north east-west ditch of the log storage area prior to combining with other waters (Latitude 30°50'15" Longitude 89°51'04").

C. Treatment - None

D. Flow - Intermittent, 0.014 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 006

A. Type of wastewater - The intermittent discharge of stormwater runoff from the dry log storage area.

B. Location - At the point of discharge from the ditch east of the pond at the north end of the log storage area prior to combining with other waters (Latitude 30°50'12" Longitude 89°51'11").

C. Treatment - None

D. Flow - Intermittent, 0.025 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

Outfall 007

A. Type of wastewater - The intermittent discharge of stormwater runoff from the dry log storage area.

B. Location - At the point of discharge from the pond at the north end of the log storage area prior to combining with other waters (Latitude 30°50'15" Longitude 89°51'08").

C. Treatment - None

D. Flow - Intermittent, 0.029 MGD

E. Receiving waters - Unnamed ditch, thence to Boggy Branch, thence to Adams Creek

F. Basin and segment - Pearl River Basin, Segment 090104

VIII. Proposed Permit Limits:

The specific effluent limitations and/or conditions will be found in the draft permit. Development and calculation of permit limits are detailed in the Permit Limit Rationale section below.

A. Current Effluent Limitations: See Appendix A.

B. Summary of Proposed Changes From the Current LPDES Permit:

1. The limits and monitoring requirements for Outfalls 001 and 002 have been changed to be consistent with the most recently issued Class I Sanitary General Permit (Schedule D) and current Office guidance.

IX. Permit Limit Rationale:

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under LAC 33:IX.2707/40 CFR Part 122.44 and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

A. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at LAC 33:IX.2707.L.2.b/40 CFR Part 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to LAC 33:IX.2707.A/40 CFR Part 122.44(a) or on State water quality standards and requirements pursuant to LAC 33:IX.2707.D/40 CFR Part 122.44(d), whichever are more stringent.

B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS, CONDITIONS, AND MONITORING REQUIREMENTS

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44(a) require technology-based effluent limitations to be placed in LPDES

permits based on effluent limitations guidelines where applicable, on BPJ (best professional judgement) in the absence of guidelines, or on a combination of the two. The following is a rationale for types of wastewaters. Regulations also require permits to establish monitoring requirements to yield data representative of the monitored activity [LAC 33:IX.2715/40 CFR 122.48(b)] and to assure compliance with permit limitations [LAC 33:IX.2707.I./40 CFR 122.44(i)].

1. Outfall 001 - The intermittent discharge of treated sanitary wastewater from the office area.

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	---	Report	1/6 months	Sanitary General Permit and LAC 33:IX.2707.I.1.b.
pH Standard Units	6.0 (min)	9.0 (max)	1/6 months	Sanitary General Permit and LAC 33:IX.1113.C.1.
BOD_5	---	45	1/6 months	Sanitary General Permit
TSS	---	45	1/6 months	Sanitary General Permit
Fecal Coliform colonies/100 ml [1]	---	400	1/6 months	Sanitary General Permit

[1] Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the applicant is hereby advised that a future Total Residual Chlorine limitation may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the applicant would be required to provide for dechlorination of the effluent prior to discharge.

Flow - Requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and LAC 33:IX.2707.I.1.b.

pH - Requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and LAC 33:IX.1113.C.1.

BOD_5, TSS, and Fecal Coliform - Limitations and monitoring requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and current Office guidance.

2. **Outfall 002** - The intermittent discharge of treated sanitary wastewater from the employee restroom in the plant area.

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	---	Report	1/6 months	Sanitary General Permit and LAC 33:IX.2707.I.1.b.
pH Standard Units	6.0 (min)	9.0 (max)	1/6 months	Sanitary General Permit and LAC 33:IX.1113.C.1.
BOD_5	---	45	1/6 months	Sanitary General Permit
TSS	---	135	1/6 months	Sanitary General Permit
Fecal Coliform colonies/100 ml [1]	---	400	1/6 months	Sanitary General Permit

[1] Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the applicant is hereby advised that a future Total Residual Chlorine limitation may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the applicant would be required to provide for dechlorination of the effluent prior to discharge.

Flow - Requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and LAC 33:IX.2707.I.1.b.

pH - Requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and LAC 33:IX.1113.C.1.

BOD_5, TSS, and Fecal Coliform - Limitations and monitoring requirements are based upon the current Class I Sanitary Discharge General Permit (Schedule D) and current Office guidance.

3. Outfall 003 - The intermittent discharge of stormwater runoff from the plant area (the areas drained are comprised of the shipping area, forklift landing area, kiln area, and small internal ditches).

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY [1]	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	Report	Report	1/month	Current permit and LAC 33:IX.2707.I.1.b.
pH Standard Units	6.0 (min)	9.0 (max)	1/3 months [3]	Current permit and LAC 33:IX.1113.C.1.
Oil & Grease	---	15	1/3 months [3]	Current Permit and Stormwater Guidance
COD	---	Report [2]	1/6 months [3]	Current Permit

[1] When discharging during normal operating hours.

[2] Daily Maximum of 250 mg/L will be used as an action level requiring further response as described in Part II, Paragraph J for Pollution Prevention Practices to be instituted by the facility to reduce any potential degradation to the receiving stream due to high COD levels.

[3] Samples required for analysis shall be taken within the first 2 hours after discharge commences.

Flow - Requirements are based upon the current permit and LAC 33:IX.2707.I.1.b.

pH - Requirements are based upon the current permit and LAC 33:IX.1113.C.1.

Oil & Grease - Limitations and monitoring requirements are based upon the current permit and a letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6) (Stormwater Guidance).

COD - Limitations and monitoring requirements have been retained from the current permit.

Other Requirements Applicable to Stormwater - In accordance with LAC 33:IX.2707.I.3 and 4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. **For first time permit issuance,** the Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of

the effective date of the final permit. **For renewal permit issuance,** the Part II condition requires that the Storm Water Pollution Prevention Plan (SWP3) be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].

4. <u>Outfall 004</u> - The intermittent discharge of stormwater runoff from the dry log storage area ,kiln condensate, kiln wash water, and previously monitored cooling water from the air compressor, log chains, and debarker from Internal Outfall 104.

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY [1]	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	Report	Report	1/month	Current permit and LAC 33:IX.2707.I.1.b.
pH Standard Units	6.0 (min)	9.0 (max)	1/month	Current permit and LAC 33:IX.1113.C.1.
Oil & Grease	---	15	1/month	Current Permit and Stormwater Guidance
COD	---	300	1/month	Current Permit

[1]When discharging during normal operating hours.

Flow - Requirements are based upon the current permit and LAC 33:IX.2707.I.1.b.

pH - Requirements are based upon the current permit and LAC 33:IX.1113.C.1.

Oil & Grease - Limitations and monitoring requirements are based upon the current permit and a letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6) (Stormwater Guidance).

COD - Limitations and monitoring requirements have been retained from the current permit.

Other Requirements Applicable to Stormwater - In accordance with LAC 33:IX.2707.I.3 and 4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. **For first time permit issuance,** the Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. **For renewal permit issuance,** the Part II condition requires that the Storm Water Pollution Prevention Plan (SWP3) be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].

5. <u>Internal Outfall 104</u> - The intermittent discharge of cooling water from the air compressor, log chain, and debarker.

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY [1]	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	Report	Report	1/month	Current permit and LAC 33:IX.2707.I.1.b.
Oil & Grease	---	15	1/month	Current Permit and Stormwater Guidance

[1] When discharging during normal operating hours.

Flow - Requirements are based upon the current permit and LAC 33:IX.2707.I.1.b.

Oil & Grease - Limitations and monitoring requirements are based upon the current permit and a letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6) (Stormwater Guidance).

6. **Outfalls 005, 006, and 007** - The intermittent discharge of stormwater runoff from the dry log storage area.

PARAMETER(S)	CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY [1]	REFERENCE
	MONTHLY AVERAGE	DAILY MAXIMUM		
Flow, MGD	Report	Report	1/month	Current permit and LAC 33:IX.2707.I.1.b.
pH Standard Units	6.0 (min)	9.0 (max)	1/3 months [3]	Current permit and LAC 33:IX.1113.C.1.
Oil & Grease	---	15	1/3 months [3]	Current Permit and Stormwater Guidance
COD	---	Report [2]	1/6 months [3]	Current Permit

[1] When discharging during normal operating hours.

[2] Daily Maximum of 250 mg/L will be used as an action level requiring further response as described in Part II, Paragraph J for Pollution Prevention Practices to be instituted by the facility to reduce any potential degradation to the receiving stream due to high COD levels.

[3] Samples required for analysis shall be taken within the first 2 hours after discharge commences.

Flow - Requirements are based upon the current permit and LAC 33:IX.2707.I.1.b.

pH - Requirements are based upon the current permit and LAC 33:IX.1113.C.1.

Oil & Grease - Limitations are based upon the current permit and a letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6) (Stormwater Guidance).

COD - Limitations and monitoring requirements are based upon the current permit.

Other Requirements Applicable to Stormwater - In accordance with LAC 33:IX.2707.I.3 and 4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. **For first time permit issuance,** the Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. **For renewal permit issuance,** the Part

II condition requires that the Storm Water Pollution Prevention Plan (SWP3) be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].

X. TMDL Waterbodies:

Miles Bogalusa Mill discharges treated sanitary wastewater to an unnamed ditch, thence to Boggy Branch, thence to Adams Creek which is located in Segment 090104 of the Pearl River Basin. Segment 090104 is listed as impaired on LDEQ's final 2008 303 (d) List. The *TMDL for Fecal Coliforms for Subsegments 090101, 090104, 090301, 090401, 090502, and 090506 in The Pearl River Basin, Louisiana* was finalized on November 4, 2008. The TMDL states, "For treated sanitary wastewater, LDEQ's policy is to set permit limits for fecal coliforms no higher than water quality criteria for the receiving stream (i.e., criteria are met at "end-of-pipe"). This means that treated sanitary wastewater permits will include limits of 200 colonies/100 mL as a monthly average and/or 400 colonies/100 mL as a daily maximum. As long as permit source discharges of treated sanitary wastewater contain fecal coliform levels at or below these permit limits, they should not cause any exceedances of water quality criteria in the receiving streams. To protect against further impairment, a fecal coliform limit of 400 COL/100mL as a daily maximum has been placed on Outfalls 001 and 002 (treated sanitary wastewater).

A reopener clause will be included in the permit to allow for establishment of more stringent effluent limitations and requirements as imposed by any future TMDLs.

XI. Compliance History/DMR Review:

A. Excursions:

A DMR review of all the monitoring reports for the monitoring period of January 2006 to March 2009 revealed the following violations (the DMRs for the year 2006 could not be located).

DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
01/07	BOD_5	001	---	122 mg/L	---	45 mg/L
01/07	Fecal Coliform	001	---	>1000 COL/100mL	---	400 COL/100mL
01/07	Fecal Coliform	002	---	>1000 COL/100mL	---	400 COL/100mL
01/07	COD	003	---	542 mg/L	---	250 mg/L
11/07	COD	003	---	270 mg/L	---	250 mg/L
12/08	BOD_5	001	---	47.2 mg/L	---	45 mg/L
12/08	TSS	001	---	84 mg/L	---	45 mg/L
12/08	TSS	002	---	214 mg/L	---	45 mg/L

B. Compliance History

On two separate occasions, an exceedance of the COD action level of 250 mg/L occurred. After each instance, the permittee failed to comply with permit requirements which called for a frequency increase from 1/6 months to 1/3 months and submittal of a written status report describing the actions taken to ensure reductions in exceedances of COD with the quarterly DMR reports.

XII. ENDANGERED SPECIES

The receiving waterbody, Subsegment 090104 of the Pearl River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Gulf Sturgeon, which is/are listed as threatened and/or endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 11/17/08 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Gulf Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

XIII. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

XIV. Tentative Determination:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

XV. Variances:

No requests for variances have been received by this Office.

XVI. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

XVII. COD ACTION LEVEL

The permittee shall review and update, if necessary, a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. The permittee shall maintain a copy of the SWP3 plan at the facility and shall make the plan available to this Office upon request.

Any exceedance of the COD action level shall result in the following requirements:

1. The sampling frequency for COD shall increase from 1/6 months to 1/3 months. This increased sampling frequency shall continue until a sample demonstrates compliance with the 250 mg/L COD action level at which time the monitoring frequency shall return to 1/6 months.

2. A written status report describing the actions taken to ensure reductions in exceedances of the COD action level shall be submitted to this Office with the quarterly DMR reports.

3. The SWP3 plan shall be updated to incorporate the actions described in Section (1) above.

The permittee shall utilize all reasonable methods to minimize any potential adverse impact on the discharge drainage system including but not limited to:

1. maintaining adequately clean roads and driveway surfaces; and

2. removing debris and accumulated solids from the drainage system.